

10/06/01  
1095 U.S. PTO10/10/01  
\*Topology

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U S Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 101159.400

First Inventor Joseph E. Devlin

Title Method and System for Determining Network\*

Express Mail Label No. EL538702965US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 19]
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 8 ]
5. Oath or Declaration [ Total Pages 4 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation    Divisional    Continuation-in-part (CIP)

of prior application No. \_\_\_\_\_ / \_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	23483 (Insert Customer No. or Attach bar code label here)		or	<input checked="" type="checkbox"/> Correspondence address below
Name	Rajesh Vallabh			
Address	Hale and Dorr LLP			
	60 State Street			
City	Boston	State	MA	Zip Code
Country		Telephone	(617) 526-6505	Fax

Name (Print/Type)	Rajesh Vallabh	Registration No. (Attorney/Agent)	35,761
Signature	Rajesh Vallabh		Date 10-9-01

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# 27

## FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 780.00)

## Complete if Known

Application Number	TBA
Filing Date	October , 2001
First Named Inventor	Joseph E. Devlin
Examiner Name	TBA
Group Art Unit	TBA
Attorney Docket No.	101159.400

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **08-0219**Deposit Account Name **Hale and Dorr LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201 355 Utility filing fee	<b>740.00</b>
106	320	206 160 Design filing fee	
107	490	207 245 Plant filing fee	
108	710	208 355 Reissue filing fee	
114	150	214 75 Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ 740.00)</b>

## 2. EXTRA CLAIM FEES

Total Claims	6	-20** =	0	X	Fee from below	Fee Paid
Independent Claims	1	- 3** =	0	X		
Multiple Dependent						

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath		
127	50	227 25 Surcharge - late provisional filing fee or cover sheet		
139	130	139 130 Non-English specification		
147	2,520	147 2,520 For filing a request for <i>ex parte</i> reexamination		
112	920*	112 920* Requesting publication of SIR prior to Examiner action		
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action		
115	110	215 55 Extension for reply within first month		
116	390	216 195 Extension for reply within second month		
117	890	217 445 Extension for reply within third month		
118	1,390	218 695 Extension for reply within fourth month		
128	1,890	228 945 Extension for reply within fifth month		
119	310	219 155 Notice of Appeal		
120	310	220 155 Filing a brief in support of an appeal		
121	270	221 135 Request for oral hearing		
138	1,510	138 1,510 Petition to institute a public use proceeding		
140	110	240 55 Petition to revive - unavoidable		
141	1,240	241 620 Petition to revive - unintentional		
142	1,240	242 620 Utility issue fee (or reissue)		
143	440	243 220 Design issue fee		
144	600	244 300 Plant issue fee		
122	130	122 130 Petitions to the Commissioner		
123	50	123 50 Processing fee under 37 CFR 1.17(q)		
126	180	126 180 Submission of Information Disclosure Stmt		
581	40	581 40 Recording each patent assignment per property (times number of properties)		<b>40.00</b>
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))		
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))		
179	710	279 355 Request for Continued Examination (RCE)		
169	900	169 900 Request for expedited examination of a design application		
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid			<b>SUBTOTAL (3) (\$ 40.00)</b>	

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Rajesh Vallabh	Registration No. (Attorney/Agent)	35,761	Telephone (617) 526-6505
Signature	<i>Rajesh Vallabh</i>			Date 10-9-01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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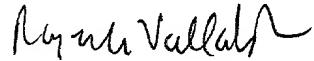
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Joseph E. Devlin
Title	Method and System for Determining Network Topology
Atty Docket Number	101159.400

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10-9-01

Date



Signature

Rajesh Vallabh, Reg. No. 35,761

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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